

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3976 of 2015

Arising Out of PS.Case No. -51 Year- 2013 Thana -KADWA District- KATIHAR

Pankaj Kumar Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Kant Mishra-Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma(A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 23-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

120 bags of rice, each containing 50 k.g. ladan on tractor-trailer bearing registration no.BR-39-9165 was seized from premises of Laxmi Rice Mill and for that, the informant had alleged the same to be of Mid-Day Meal and was carried to for black marketing. It has also been disclosed that one Vijay Kumar Sah was apprehended at the spot, who disclosed that he had lifted the same from Pankaj Kumar Sah (petitioner). It is also evident from the written report itself that one Ranjit Kumar Srivastava, happens to be the contractor for the supply of Mid-Day Meal and that being so, the status of petitioner has been identified as middleman.

Having deficiency on the part of the prosecution on

that very score while registering the case under Section 7 of E. C. Act, petitioner **Pankaj Kumar Sah** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Kadwa P. S. Case no.51 of 2013, in event of his arrest/ surrender within four weeks, subject to condition as enumerated under Section 438(2) of the Cr.P.C.

Vikash/-

(Aditya Kumar Trivedi, J)

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